



FISCAL MEMORANDUM

HB 7030 - SB 7062

August 22, 2023

SUMMARY OF BILL AS AMENDED (009524): Authorizes the court to transfer a child to the sheriff of the county to be dealt with as an adult if they are charged with the offense of burglary involving theft of a firearm, theft of a firearm, or an attempt to commit any such offense. Requires the criminal court to review a juvenile court's determination that a juvenile is to be tried as an adult upon motion by either party, and that the juvenile court's ruling be stayed until the conclusion of the review. Requires the record on appeal be filed no later than 15 days after the entry of the juvenile court's order, and that the criminal court must conduct a de novo review of records without an evidentiary hearing within 15 days of the filing of the record on appeal. Authorizes counsel for the child to serve and file a brief 15 days after the state's brief is filed with the clerk. Requires the criminal court to issue a decision within 45 days after the date on which the record is filed.

FISCAL IMPACT OF BILL AS AMENDED:

NOT SIGNIFICANT

Assumptions for the bill as amended:

- Public Chapter 264 of 2023 states that any juvenile, aged 16 or older, may be tried as an adult if they are charged with the offense of robbery or attempt to commit robbery; the proposed legislation extends this to include the charge of burglary involving a firearm or theft of a firearm.
- Conducting a de novo review of records can be accomplished within existing resources and personnel, and will therefore create no significant impact to the Administrative Offices of the Courts.
- According to information provided by the Department of Children's Services (DCS), there are currently no youth in DCS's custody with an offense of burglary involving a firearm or theft of a firearm; therefore, it is assumed the proposed legislation will not result in a significant increase in the number of hearings and will have no significant fiscal impact to DCS or local government.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/cd